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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

John D. West, on Behalf of Himself and	)	
All Other Persons Similarly Situated,	)	
Plaintiffs,	)	Case No. 1:02-CV-0001
	)	
v.	)	
	)	
AK Steel Corp. Retirement Accumulation	)	District Judge Sandra S. Beckwith
Pension Plan,	)	
– and –	)	
AK Steel Corporation Benefit Plans	)	Magistrate Judge Timothy S. Black
Administrative Committee	)	
Defendants.	)	

**DECLARATION OF CLASS COUNSEL  
ATTESTING TO COMPLIANCE  
WITH THE COURT’S ORDER REGARDING  
DISSEMINATION OF THE CLASS NOTICE**

Thomas R. Theado, Class Counsel, hereby declares as follows:

1. Pursuant to the Order entered by the Court on April 20, 2005 (Doc. No. 91), I caused Notices to be deposited into the United States mail system on April 29, 2005, for delivery by first-class mail to the members of the Class certified in this suit.
  
2. Further pursuant to said Order, the aforementioned Notices were in the same form as the Notice which had been appended to the parties’ Joint Motion for Approval of Notice (Doc. No. 90) and the Court’s aforesaid Order (Doc. No. 91).
  
3. Further pursuant to said Order, prior to the mailing of the aforementioned Notices, I inserted into the Notice the date of May 24, 2005, as the deadline by which Class members must have their requests for exclusion from the Class postmarked pursuant to Part IV of the

Notice, as well as the deadline for Class members to enter appearances in this action through their own counsel, which date is 25 days after the day that the Notices were mailed.

4. Further pursuant to said Order, the aforementioned Notices were mailed to Class members, as identified by defendants and at the addresses defendants provided to the undersigned, and said Class members totaled 1,333 individuals.

Respectfully submitted,

s/ Thomas R. Theado  
Plaintiffs' Trial Attorney and Class Counsel  
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Counsel for Plaintiffs

### **CERTIFICATE OF SERVICE**

I hereby certify that on May 3, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Christopher M. Denig  
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s/ Thomas R. Theado  
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